

# ADA

## **ALABAMA'S**

toll-free number  
*for*

**Americans with Disabilities Act**  
information

**1.800.205.9986**

1.888.574.2257 (tty)  
[www.rehab.alabama.gov/ada](http://www.rehab.alabama.gov/ada)

2010 ANNUAL REPORT



Alabama Department of  
REHABILITATION SERVICES

# Alabama's Toll-Free ADA Information Line Annual Report



## From the Commissioner

Dear Legislators,

*During fiscal year 2010, the Alabama Department of Rehabilitation Services (ADRS) was pleased to provide up-to-date information and materials to the public on the Americans With Disabilities Act through the ADA Information Line.*

*As in past years, our department collaborated with businesses and other community partners to significantly improve the lives of Alabamians with disabilities of all ages.*

*We appreciate you for your continuous support of our department and its mission to enable Alabama's children and adults with disabilities to achieve their maximum potential.*

Cary Boswell, Commissioner  
Alabama Department  
of Rehabilitation Services

## From the Coordinator

Dear Legislators,

*I am delighted to have served once again as coordinator of Alabama's toll-free ADA Information Line.*

*The information line provides an easy, dependable source of information for a large variety of people and entities – from state and local governments to private businesses and individual citizens.*

*With clarification of the ADA continuing in the courts, the information and technical assistance available through this public service continue to be crucial in the interpretation this legislation.*

*On behalf of those who use the toll-free ADA Information Line, I wish to again express my gratitude to you and the governor for your continuing support of this valuable public service.*

Graham L. Sisson, Jr.  
Assistant Attorney General  
Alabama's Toll-free ADA Line



## History of the Americans with Disabilities Act and New Developments

On July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law. Many of its provisions did not become effective until two years later. The law was drafted in broad terms to benefit as many persons as possible. In response to wide interpretations of the ADA definition of "disability," the U.S. Supreme Court narrowed its definition in the Sutton v. U.S. Airlines and Toyota v. Williams decisions. To reverse these decisions and restore the ADA to its original intent, the U.S. Congress passed the ADA Amendments Act (ADAAA), which was signed into law Sept. 25, 2008 and became effective Jan. 1, 2009. The EEOC has published proposed ADAAA regulations. Public comment on the regulations was open until Nov. 23, 2009. The regulations are expected to be released in 2011.

The U.S. Department of Justice has formally adopted its new version of the ADA Accessibility Guidelines in 2010. The new ADA accessibility standards (2010 Standards for Accessible Design) were published in the Federal Register on Sept. 15, 2010, as well as new regulations for Titles II and III. Generally, these new rules became effective on Feb. 15, 2011. The 2010 Standards for Accessible Design become mandatory in March 2012.

## Background of the Alabama ADA Information Line Act

In 1998, the Legislature passed Act No. 98-255, which created a service in the Alabama Department of Rehabilitation Services to provide information on rights and responsibilities under the Americans With Disabilities Act. The service was initially funded on Oct. 1, 1998, and was activated through the use of a toll-free telephone line. By January 1999, a toll-free TTY number was added to make this service accessible to persons with hearing or speech impairments.

Calls received on either line after regular office hours are recorded by a voice-mail system.

The act established the duties of this service, which include providing public information/education, referral, training, data collection, and analysis. A database was compiled to collect and analyze information made available through each call. Collected information includes each caller's name, address, phone number (when provided), date of call, date of response, referral (if necessary), description of inquiry or information request, type of information disseminated and a description of the response to each call.

At the beginning of each call, it is expressly stated that any information provided is nonbinding and that there is no attorney-client relationship established. Confidentiality is maintained at all times unless expressly waived by the caller.

## Details of Calls

The number of calls in FY 2010 was 413, with slightly more calls coming from urban areas than from rural areas. SMART budget numbers were also met.

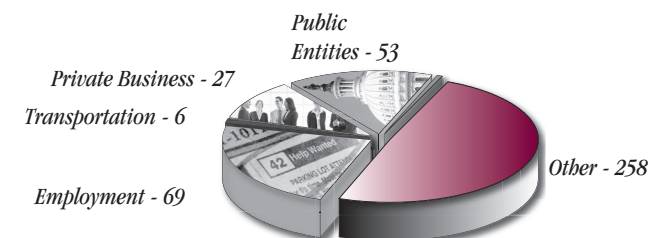
The majority of calls received continued to be from consumers with disabilities inquiring about employment issues such as reasonable accommodations, job promotions, hiring and termination. Specifically, most callers just needed basic ADA information such as the actual text of the law, website locations, and applicability of the ADA. Some inquired about physical accessibility issues involving building entrances, bathrooms, height of countertops, parking spaces, and door closure pressure. As the ADA evolves, questions continue to involve greater complexity.

Responses included information about the new ADA Accessibility Guidelines and applicable sections of the law and its regulations as well as referral to relevant provisions of other laws such as the Rehabilitation Act, Air Carriers Access Act, the Fair Housing Act, and Architectural Barriers Act. Further sources of assistance were provided, including the Alabama Department of Rehabilitation Services, the Alabama Disability Advocacy Program, independent living centers, Alabama Parent Education Center, the Governor's Office on Disability, U.S. Department of Justice, Office of Fair Housing and Equal Opportunity, Office of Civil Rights, and other federal entities.

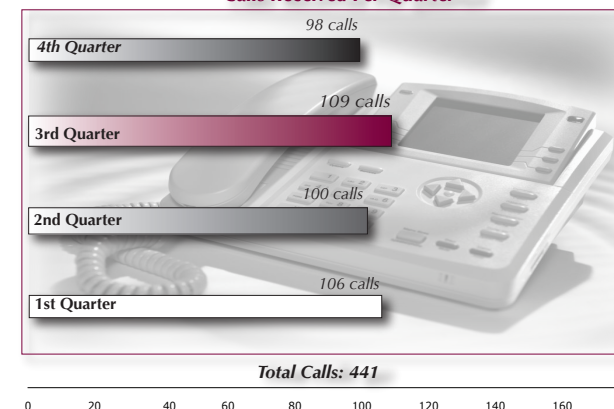
### Origin of Calls



### Calls by Subject



### Calls Received Per Quarter



## Public Awareness and Outreach

A flier describing the service and publicizing the ADA toll-free voice number and the 1-800 TTY number was widely distributed through statewide disability organizations such as:

- Alabama Department of Rehabilitation Services Consumer Advisory Councils
- Governor's Office on Disability (GOOD)
- Alabama independent living centers
- Council of Organizations Serving Deaf Alabamians (COSDA)
- Alabama Disability Advocacy Network (AL-DAN)
- State Rehabilitation Council
- Alabama Council for Developmental Disabilities

The ADA information 1-800 number continues to be an accurate one-stop ADA information source.

The ADA 1-800 number is posted on GOOD website, [www.good.alabama.gov](http://www.good.alabama.gov).

### Written materials provided to callers: More than 100\*

- ADA Q&A booklets
- ADA and Child Care Centers Q&A booklet
- Titles I, II, III Technical Assistance manuals
- Guide to Disability Rights Laws
- Text of ADA, ADAAA
- ADA Accessibility Guidelines
- Employment Rights Under ADA booklet
- Employer's Responsibilities Under ADA booklet
- 2010 Accessible Design Standards
- EEOC Guidance on Definition of Disability
- Text of new Title II and III regulations
- EEOC Guidance on Psychiatric Disabilities
- EEOC Guidance on Pre-employment Inquiries
- Readily Achievable Checklist
- Titles I, II, III regulations
- U.S. Department of Justice (DOJ) status reports on ADA enforcement
- EEOC Guidance on Reasonable Accommodation
- DOJ Guidance on Hotels and Motels
- Fair Housing Act Requirements
- Summary of Rehabilitation Act Requirements
- DOJ Guidance on Places of Lodging
- JAN pamphlet
- Air Carrier Access Act Information
- EEOC Q&A on ADAAA
- ADA and Service Animal booklet
- ADA Guide for Small Businesses
- Proposed EEOC regulations on ADAAA
- DOJ Polling Place Survey Checklist
- DOJ Core Service opinion letters
- DOJ Guidance on Emergency Preparedness
- EEOC Q&A on Deafness and Hearing Impairments in the Workplace and the ADA
- Copies of court decisions
- Common Title II Errors booklet
- Others

\* Many callers were referred to online information.

# ADA Training and Technical Assistance

*In response to requests generated through the ADA Information Line, the following presentations and/or consultations on accessibility were provided on behalf of a number of diverse agencies and organizations:*

## **FY 2010 ADA trainings:**

**ADA Employment Rights**, Job Networking Fair, Birmingham (10/7/09)  
**ADAAA Basics**, Post Secondary Diversity Conference, Birmingham (10/15/09)  
**ADAAA Speech**, WIA Conference, Montgomery (10/29/09)  
**ADA Self Advocacy Workshop**, Jasper (11/6/09)  
**ADA and Child Care**, Child Care Resources, Birmingham (11/12/09)  
**ADA and Disability Sensitivity Training**, Montgomery Transit (11/19/09)  
**ADA Overview Training**, Montgomery, AL (Via video on demand) (11/23/09)  
**GED and Reasonable Accommodations**, ILRGB, Inc., Birmingham (12/1/09)  
**ADA Standards for Recreation Access**, ADECA Grant Workshop, Montgomery (12/9/09)  
**ADA and Emergency Preparedness**, AEMA Conference, Auburn (1/27/10)  
**Agency ADA Training**, Montgomery (2/3/10)  
**ADA Overview**, Sparks Clinic, Birmingham (2/4/10)  
**ADA Overview**, Tuskegee University (2/10/10)  
**Agency ADA Training**, Birmingham (2/11/10)  
**Agency ADA Training**, Anniston (2/24/10)  
**ADA Jeopardy and Transition**, Transition Conference, Opelika (3/9/10)  
**ADA and Childcare**, Child Care Resources, Inc., Birmingham (3/11/10)  
**ADAAA Overview and Disability Awareness**, Epilepsy Foundation, Mobile (3/12/10)  
**Agency ADA Training**, Dothan (3/16/10)  
**Agency ADA Training**, Mobile (3/30/10)  
**ADA and ADAAA Overview**, Financial Aid Conference, Guntersville (4/8/10)  
**Agency ADA Training**, Tuscaloosa (4/16/10)  
**Agency ADA Training**, Huntsville, (4/29/10)  
**ADA and ADAAA Overview Training** (2 Sessions), Phoenix Rehab. Center, Huntsville (5/4/10)

**Title II Overview**, DBTAC Accessibility Review Group, Tuscaloosa (5/7/10)  
**ADA and Childcare Centers**, Childcare Resources, Inc., Birmingham (5/20/10)  
**ADA Overview**, UNA Class, Jackson's Gap (5/24/10)  
**ADA and Colleges**, College Prep, UAH, Huntsville (6/11/10)  
**ADA Overview**, Advocacy Workshop, MCIL, Montgomery (6/14/10)  
**ADA Overview and Disability Awareness**, ASU OT Class, Montgomery (6/15/10)  
**ADA and Reasonable Accommodations Overview**, CGAT Conference, Montgomery (6/24/10)  
**ADA and Colleges**, College Prep., USA Mobile Campus (6/30/10)  
**ADA and Colleges**, College Prep., USA Fairhope Campus (7/20/10)  
**ADA Requirements for Pedestrian Ways and Universal Design**, RPC Conference, Birmingham (7/22/10)  
**ADA and Childcare Centers**, Childcare Resources, Inc., Birmingham (8/25/10)  
**ADA Overview**, Montgomery Youth Detention Facility (9/13/10)  
**ADA Overview**, Montgomery Youth Detention Facility (9/20/10)  
**ADA Overview**, Montgomery Youth Detention Facility  
**ADA Basics and Disability Awareness**, Epilepsy Foundation Education Awareness Seminar, Montgomery (9/30/10)

## **ADA consultations:**

**Accessibility Review Renaissance Hotel**, Montgomery (10/27/09)  
**Review of City of Prattville Transition Plan**, Prattville (11/30/09)  
**Further Consultation with Samford University**, Birmingham (12/4/09)  
**Consultation for Parking Accessibility**, Calhoun Community College, Huntsville (12/29/09)  
**Accessibility Review at Family Dollar Store**, Bessemer (4/1/10)  
**Accessibility Review**, Cullman County Courthouse (5/5/10)  
**Accessibility Review**, JSU, Jacksonville (8/5-8/6/10)  
**Follow up Accessibility Review**, JSU, Jacksonville (8/20/10)  
**Follow up Accessibility Review**, Samford University, Homewood (9/24/10)



Alabama Department of  
**REHABILITATION SERVICES**

602 S. Lawrence St.  
Montgomery, AL 36104  
334-293-7046 • 1-800-441-7607  
FAX (334) 293-7383 • [www.rehab.alabama.gov](http://www.rehab.alabama.gov)

In the provision of services and in employment practices, the Alabama Department of Rehabilitation Services does not discriminate on the basis of race, sex, creed, national origin, religion, age or disability.  
*This material is available in alternate format upon request.*